



School Leader Update

Iowa Department of Education

AUGUST 2006

Resources for Iowa School Leaders

FROM THE DIRECTOR'S DESK

Third High School Summit Planned

December 11-12 is the scheduled date for the third Iowa High School Summit. This year's event will be at the Iowa Events Center in Des Moines, which will accommodate nearly double the participants. The agenda will expand on previous years' themes of rigor, relevance, and relationships in Iowa high schools, and will include information on transition into and out of high school. Teams of high school educators — and for the first time teams of middle school educators — will be invited to attend. Expect registration information and materials this fall. Contact Mark Draper at 800/645-4574 or mdraper@aea13.org for more information.

Communicating High School Improvements

A communications toolkit to help school leaders communicate about high school improvements to students, parents, and community members were distributed from the DE exhibitor booth at the School Administrators of Iowa annual meeting August 9. These materials also will be available for download from the DE website. Contact Kathi Slaughter at 515/281-5651 or kathi.slaughter@iowa.gov for additional information.

Information for Administrator Mentoring, Induction

A memo from PK-12 Administrator Pam Pfitzenmaier was recently emailed to all superintendents and AEA chiefs explaining House File (HF) 2792, which established a Beginning Administrator Mentoring and Induction Program for beginning/first-time administrators effective with the 2006-07 school year. Contact Pam at 515/281-3333 or pam.pfitzenmaier@iowa.gov for additional information.

NOTICE

The DE unveiled a new website at www.iowa.gov/educate in early August, but the site's new state-government server was hacked into just several days later. Unfortunately, it will be at least three to four weeks before the new site can be relaunched. In the meantime, the DE has reverted to its prior website.

We appreciate your patience and apologize for any inconvenience.

SCHOOL IMPROVEMENT

Introduction to the Model Core Curriculum for Iowa's High Schools

The DE is planning a series of ICN sessions to provide AEA, district, and school staff assistance in applying the Model Core Curriculum for Iowa's high schools.

The introductory session (offered on the two dates listed below) will provide an in-depth look at the essential concepts and skill sets in literacy, mathematics, and science described in the Model Core Curriculum. Tim Ansley of Iowa Testing Programs also will review the alignment of the Model Core Curriculum to the Iowa Tests of Educational Development. The same content will be repeated in the four ICN sessions. The sessions are scheduled for the following dates and times:

Tuesday, September 19 (Origination Site: Lucas State Office Building)
8:30 to 10:30 a.m. and 2:00 to 4:00 p.m.

Wednesday, October 11 (Origination Site: Grimes State Office Building – 2nd Floor)
8:30 to 10:30 a.m. **and** 2:00 to 4:00 p.m.

This introductory session will be videotaped, and copies will be available from each AEA.

To add a site to one of the above-scheduled sessions, please check availability and contact annette.mathieu@iowa.gov (preferred) or by phone at 515/281-3170. Please include the Node number of the site location and the date and time of the session. Reservations to attend are not required.

Additional sessions are being planned to assist high schools in integrating the Model Core Curriculum into current practice. One series of sessions will provide technical assistance on conducting a gap analysis between local standards and benchmarks and the essential concepts and skill sets of the Model Core Curriculum. Another is being planned to help support teachers and administrators who are interested in changing instruction using the Rigor and Relevance Framework.

Contact Rita Martens at 515/281-3145 or rita.martens@iowa.gov for additional information.

CSIP Reminder

Schools and districts that completed a site visit during the 2004-05 or 2005-06 school year are required to revise their CSIPs, according to Chapter 12, which states: *a school or school district shall submit a revised five-year Comprehensive School Improvement Plan by September 15th of the school year following the Comprehensive site visit specified in Iowa Code section 256.11 which incorporates, when appropriate, areas of improvement noted by the school visitation team as described in subrule 12.8(4).* **Schools or school districts that completed a site visit during the past two years must certify their CSIPs by September 15, 2006.** For assistance with the CSIP, contact Debbie Boring at 515/281-3198 or debbie.boring@iowa.gov.

Iowa Youth Survey Reports Available

Results from the 2005 Iowa Youth Survey were emailed to all participating districts in June. Superintendents who missed the message or cannot locate their report may contact jane.todey@iowa.gov or 515/281-8514; or janell.brandhorst@iowa.gov or 515-281-5288). State, county, and other regional reports are available online at www.iowayouthsurvey.org.

Get NCLB Documents and Translations from TransACT

The DE has renewed its subscription to the TransACT website, which provides local districts, schools, and AEAs free access to a wide variety of NCLB documents, including translations in numerous languages.

This site provides two collections of documents, one of which is a collection of 58 documents in English that align with the requirements for No Child Left Behind. The second is a set of 75+ General Education Parent Notifications in English and 22 other languages that cover the areas of health, medical, school administration, free and reduced-price meals, and special services. The TransACT website also provides access to 12 special education documents specific to Iowa, which are available in English, Spanish, Bosnian, Serbo-Croatian, Vietnamese, and Laotian. The attached document provides specific information on how the TransACT website can be accessed.

Contact Sharon Hawthorne for additional information at 515/281-5461 or sharon.hawthorne@iowa.gov.

Invite Students to Apply for U.S. Senate Youth Program

The State of Iowa has again accepted an invitation to participate in the United States Senate Youth Program (USSYP), sponsored by the William Randolph Hearst Foundation. The program is designed to give young Americans a working knowledge of American political life. Two Iowa students will have the opportunity to spend the week of March 3-10, 2007, in Washington, D.C. The William Randolph Hearst Foundation will pay all expenses. In addition, the two Iowa high school representatives will each receive a \$5,000 scholarship, subject to scholarship conditions and requirements.

Selection of the two Iowa high school representatives will be based solely on the outstanding ability and demonstrated leadership qualities of elected junior or senior high school student officers for the 2006-07 school year.

Please note that each high school can nominate one student. Student application materials are due to the AEA USSYP contact no later than 4 p.m., Friday, September 29, 2006. By Friday, October 13, 2006, nominees will be required to take a Qualifying Examination on the constitution and government. For general program information, please visit the USSYP website at www.ussestateyouth.org. Contact Jan Kuhl at 515/281-3552 or janice.kuhl@iowa.gov for additional information.

Volunteer for a Site Visit Team

Iowa educators are encouraged to volunteer to participate on one of the Department of Education School Improvement site visits scheduled for the 2006-2007 school year. Serving on a site visit team has many benefits: It helps participants understand site visit expectations, the preparation process, and allows educators to obtain in-depth information and examples from other districts. The site visit schedule and participation information is available at www.state.ia.us/educate/ecese/asis/csi/sv.html. For more information, contact Annette Mathieu at 515/281-3170 or annette.mathieu@iowa.gov.

Orientation for School Improvement Visits

Schools and districts that are scheduled for a site visit in the 2006-2007 school year are strongly encouraged to attend (or schedule an ICN location for) one of the six ICN sessions listed below. To add a location to one of the sessions, please check availability and contact annette.mathieu@iowa.gov (email preferred) or by phone at 515/281-3170. Please include the Node number of the site location and the date and time of the session. Reservations to attend are not required.

Session Dates, Times, and Pre-Scheduled Locations

The dates and origination sites for the ICN sessions are as follows:

1. September 8, 9:00 a.m. to 10:30 a.m. – origination site is the Grimes Building
2. September 8, 1:00 p.m. to 2:30 p.m. – origination site is the Grimes Building
3. September 19, 10:30 a.m. to 12:00 p.m. – origination site is the Historical Building
4. September 19, 2:00 p.m. to 3:30 p.m. – origination site is the Historical Building
5. September 27, 9:00 a.m. to 10:30 a.m. – origination site is the Grimes Building
6. September 27, 3:00 p.m. to 4:30 p.m. – origination site is the Grimes Building

Pre-scheduled Locations can be viewed at <http://www.state.ia.us/educate/ecese/asis/csi/sv.html>.

Materials needed for the school improvement part of the training will be available on the Department of Education website at the following links:

Public School Districts:

Current Link: <http://www.state.ia.us/educate/ecese/asis/csi/svpub.html>

Future Link: http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=495&Itemid=542.

Accredited Nonpublic Schools:

Current Link: <http://www.state.ia.us/educate/ecese/asis/csi/svnp.html>

Future Link:

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=495&Itemid=542&limit=1&limitstart=1.

Past experience has shown that the orientation process reduces some of the apprehension districts have about site visits and that participation in the orientation sessions contribute to making the site visit a more positive experience for both the districts and the visiting team. Please share this information with all stakeholders. Districts may contact their assigned school improvement consultant (see attached list) with any questions.

Orientation for School Improvement Visits with an Equity Focus

Please note there is a separate orientation for those districts having a school improvement visit with a focus on equity. This session will be September 15 from 9:00-12:00 in local districts [origination site is the State Library DSM (ICN 3)]. Districts scheduled for a visit with a focus on equity, should plan to attend this ICN session, which will include the information needed to prepare for both the school improvement and the equity component of the visit.

Materials needed for the equity portion of the training were sent to the districts with their initial notification letter. Please call 515/281-3170 or email Annette.Mathieu@iowa.gov for assistance.

Waivers and Exemptions Need Public Hearing, Board Approval

Six waivers or exemptions that are available from the Iowa Department of Education include:

- Chapter 12 (accreditation rules)
- Foreign Language
- New Innovative Calendar
- Continued Innovative Calendar
- Teacher Librarian and/or Media Program
- Early Start Date (Completed on the District's Spring BEDS Report)

The requirements vary slightly for each waiver:

Waiver/ Exemption	Form	Board Approval or Hearing	Deadline
Foreign Language 256.11(5)(f)	Paper document located at: http://www.state.ia.us/educate/ecese/asis/waivers/index.html	Board minutes that demonstrate that the local school board has approved the request	None
Chapter 12 – General Accreditation Standards 281-IAC 12.9	Paper document located at: http://www.state.ia.us/educate/ecese/asis/waivers/index.html	Board minutes that demonstrate that the local school board has approved the request.	January 1 preceding the school year for which the waiver is requested.
New Innovative Calendar and Continued Innovative Calendar 279.10	Paper document located at: http://www.state.ia.us/educate/ecese/asis/waivers/index.html	Documentation of public hearing	November 1 preceding the school year for which the waiver is requested defined in the Code of Iowa.
Teacher Librarian/Media Program	Paper document located at: http://www.state.ia.us/educate/ecese/asis/waivers/index.html	Board minutes that demonstrate that the local school board has approved the request.	August 1
Early Start 279.10(4)	Web-Based document located on the Spring BEDS Report located at: https://www.edinfo.state.ia.us/securelogin.asp	Assurances that the school district has held a public hearing and that starting school on the earliest starting date specified in Iowa Code section 279.10 subsection 1 will have a significant negative educational impact.	July 1 preceding the school year for which the waiver is requested defined in the Code of Iowa

Other instances (this is not a complete list) that require a public hearing

- Whole Grade Sharing Agreements (new or renewable) – 282.11
- Participation in Instructional Support Program 257.18
- Disposition of Public Property – 297.22

Common requirements for a public hearing include:

1. Prior publication of date, time, and place of hearing.
2. Purpose(s) of the hearing shall be included in the notice.
3. The specifics of the notice vary. See authoring statues at: <http://www.legis.state.ia.us/IACODE/2003SUPPLEMENT/tablesandindex/> by entering the appropriate chapter and sections.

The public hearing is designed to provide an opportunity for the public to have input on the proposed issue. It can be part of the regular board meeting, or it may be a special board meeting. In either case, the minutes of the meeting shall document that the public was given an opportunity to comment regardless of whether anyone in fact attended or provided input.

Please note: Waiver/exemption requests that fail to document the opportunity for public input will be denied.

Also: Waiver requests that have a deadline defined by Iowa Code are strictly adhered to. The Department does not have the authority to waive deadlines set in Code.

QUALITY TEACHING

Every Learner Inquires — Introduction of Science Initiative

The statewide science initiative, Every Learner Inquires (ELI), began with a four-day institute July 31-August 3, 2006. Follow-ups including five sessions each for elementary and secondary participants will be held in two regions of the state throughout the academic year.

ELI is a K-12 professional development effort designed to improve science learning for all students, build teacher leadership and content expertise, give teachers skills to implement inquiry-based instruction, and establish a structure to sustain implementation.

K-6 and 7-12 leadership teams from each AEA, consisting of science consultants, other AEA consultants (special education, technology, etc.), LEA curriculum supervisors, higher education representatives, and teacher leaders will be trained in ELI. Four case study schools have been selected to implement the strategies and provide information about the initiative's impact on instruction and achievement: Harlan High School, Harlan; Perkins Academy of Mathematics and Science, Des Moines; Lincoln Elementary School, Washington; and Mechanicsville Elementary School, Mechanicsville.

Contact Kathy McKee at 515/281-3146 or kathy.mckee@iowa.gov for additional information.

Use School Improvement to Improve Instruction

The DE is sponsoring a series of technical assistance events this school year that will focus on how to use school improvement and professional development processes to improve instructional practices and accomplish increases in student learning. The series will emphasize actions needed to:

- Lead professional development at each level of the system
- Study the implementation of professional development and student responses to instruction (formative evaluation)
- Develop and support collaborative structures
- Sustain a professional development initiative
- Provide technical assistance to school leaders

Target Audience:

- AEA consultants supporting Reading, Mathematics, Science Initiatives
- Newly hired consultants or individuals who are unfamiliar with the Iowa Professional Development Model
- Local district central office personnel, principals and teacher leaders (Please attend as a team)
- Reading, Math, Science, strategists and content experts including Gifted and Talented, Spec. Ed. and ELL
- Individuals who support or lead instructional innovations as part of the Iowa Teacher Development Academies or other initiatives

Session presenters: DE staff and Iowa practitioners

Session facilitator: Deb Hansen

Dates:

Oct. 19-20, 2006

February 2, 2007

April 20, 2007

June 7, 2007

Location:

All Sessions will be at the Foxboro Conference Center in Johnston.

Renewal and graduate credit is available.

Registration:

This is a Department of Education event. Registration procedures will be conducted electronically using Heartland's online process. Go to Heartland's professional development page

<https://prodev.aea11.k12.ia.us/4DCGI/YYYYYYYYYYYYYYSRCH>

Type in the activity number **DR21779990701** "Or...Enter an Activity Number:" and then click on "Go." On the Activity Detail page are directions to register. For information about the content of these sessions contact Deb Hansen at 515/281-6131 or deb.hansen@iowa.gov. For information about web registration, call 515/270-0405 or 800/255-0405, ext. 4443.

Teacher Pay for Performance Commission

As required by House File 2792 and Executive Order #48, a Teacher Pay for Performance Commission has been appointed to study possible pay for performance systems and to implement pay for performance pilots. Interested parties can access information about Commission activities at http://www.dom.state.ia.us/pfp_commission/index.html. The DE will staff the Commission, whose members include Steve Waterman - Chair - retired superintendent - Clarke CSD; Jan Reinicke - Co-Chair - Executive Director - ISEA; Judy Jeffrey - Director - Iowa Department of Education; Mike Haluska - superintendent - Jefferson-Scranton CSD; and Dr. Bob Koob - retired UNI President and co-chair of the Institute for Tomorrow's Workforce. The PFP Commission has contracted with the Institute for Tomorrow's Workforce to complete the study of pay for performance systems. The ITW will submit recommendations to the Commission in late December. Contact Jeff Berger at 515/281-3399 or jeff.berger@iowa.gov for additional information.

LEGAL LESSONS

The contact for all Legal Lessons items is Carol Greta, carol.greta@iowa.gov or 515/281-8661.

School Fee Reminders

As registration time draws near, it is wise to take a moment to reflect on legal vs. illegal fees. Please review the DE's FAQs on the subject, posted on the web at <https://www.edinfo.state.ia.us/web/faqs.asp?f=tf00000>.

A few examples:

- The seven allowable fees to charge are:
 1. Textbook fees (Iowa Code section 301.1). Textbook is defined as "books and loose-leaf or bound manuals...which convey information to the student, including but not limited to computer software, applications using computer-assisted instruction, interactive videodisks, and other computer courseware and magnetic media."
 2. Eye protective devices (280.10).
 3. Ear protective devices (280.11).
 4. Driver education courses (282.6).
 5. Summer school courses (282.6).
 6. Transportation provided to resident students who are not entitled to free transportation (285.1). [Transportation is free to elementary students who live more than two miles and to high school students who live more than three miles from their designated attendance centers.]
 7. School supplies (301.1). These are items used individually by students as opposed to items used in common by all students. For example, art supplies for art class and chemicals for science class are supplies for which a district may NOT charge a fee because they are used in common by all students.

- A fee may NOT be charged for participation in an activity, whether the activity is co-curricular or extra-curricular. Any fee for an activity must be related to school supplies (see above regarding school supplies). For basketball, for instance, a towel fee is acceptable (assuming that towels are provided); a fee to cover the cost of basketballs is not. Basketballs are essential to the activity whereas towels are not.
- Students may not be required to purchase an activity ticket. Activity tickets are optional purchases for students. Ditto yearbooks.
- Where it is legal to charge a fee, students who are eligible for partial or total waiver of the fee get the waiver for ALL fees. Last month, this publication covered eligibility for fee waivers. Here in part is what was stated: Many districts use the free/reduced price lunch application to cover all school fees. This is fine, but a district must also have an alternative means permitting families to apply for fee waivers other than F/R lunches. For instance, Chapter 18 of the DE's administrative rules provides for the following alternatives:
 - participation in FIP (Family Investment Program)
 - eligible for transportation assistance
 - the student is a foster child (this is an absolute entitlement to waiver of all fees)
 (Reminder: Written permission must be specifically given by the parent/head of household for the free/reduced eligibility to be used for determining eligibility for waiver of school fees.)

Other Common Registration Issues

- Proof of student's date of birth.
 - Districts may require some form of proof of birth date to ensure that child is "school age" (5 on or by 9/15 and under age 21).
 - Nothing gives a district the right to require that the proof be a birth certificate.
 - Therefore, reasonable alternatives include an adoption record, certified statement of physician, or anything reasonably reliable.
- Kindergarten, first graders.
 - Iowa Code § 282.3 unequivocally states that a child must be five on or before 9/15 to enter Kindergarten and must be six on or before 9/15 to enter first grade. This law did not change this past year.
 - There is an Iowa Attorney General's Opinion (#79-7-3) stating that NO ONE has discretion to overlook this law. That means no exceptions – including if the child moved in from another state where the child has been in kindergarten most of the year already.
 - The "solution" is to enroll the child when legal to do so in Kindergarten, and – if appropriate to do so in the District's opinion and only the District's opinion – promote the child to first grade as soon as warranted.
- Social Security Numbers. The DE does not require SSNs of students. Neither should schools and school districts.
- Failure to pay registration fees, etc.
 - Solution: Sue parent/guardian in small claims court where the filing fee is now \$50 plus service (usually the cost of certified mail), all of which is recoverable in a judgment.¹
 - DO NOT punish the student by withholding report cards, diplomas, etc., until fees get paid. DO NOT punish student and next school by withholding transcript from new school until fees get paid. And DO NOT have a list of students/families who owe the school money posted where anyone can see it.²

¹ The filing fee changes from time-to-time. Check Iowa Code § 631.6 for updates.

² These are not just "Golden Rule" ideals. It is a violation of accreditation rules and FERPA to withhold records from a student's family and new school. It is a violation of consumer protection laws to "publish" a debt to anyone but the person who owes the money. The latter comes with stiff fines, not to mention bad public relations.

- Legal Names. Rule 12.3(4) was amended to provide school officials with authority to require that parents/guardians register their children with the child's legal name only.
- Addresses
 - Do NOT accept only a post office box for an address unless it is known for certain that the family resides in the district. Districts have a right to know who is truly a resident of their district.
 - In cases where one parent has a No Contact Order protecting him/her from the other parent or from a third party, accept the P.O. Box, but make sure that the parent registering children is a resident of the district. The protected party could, for instance, let the building principal know her street address in return for a guarantee that her child's records will only reflect the P.O. Box.
 - If all else fails, explain that Iowa Code 282.6 mandates that a district charge tuition of non-resident pupils. A district may assume non-residency until proper residency is proven.
- Foster children. Visit <http://www.state.ia.us/educate/foster/index.html> to see a "white paper" on the subject.
- Immigrant students/ Non-immigrants
 - An immigrant student is one born in another country but who lives in the U.S. and intends to make the U.S. his/her home. Immigrant students do not have visas. If they live with a parent or with another relative in the absence of a parent, and they are in the district for purposes of making a home, they are entitled to a tuition-free education. Do not ask the student if s/he is here "legally." That is impermissible. If the family resides in the district, educate the children.
 - On the other hand, non-immigrant students are foreign exchange students or foreign students who DO NOT intend to live in the U.S. They have a visa, and you may ask about the type of visa. See the next item for more information.

Reminder about Non-immigrant Students

The FAQs about foreign exchange students and other non-immigrant students have been updated and can be found at <https://www.edinfo.state.ia.us/web/faqs.asp?f=fes>.

Note that one **major change** affects foreign exchange students (J-1 visa holders) and their eligibility to immediately participate in varsity interscholastic sports. Effective July 1, 2006, such students have immediate eligibility (assuming they meet academic and physical examination requirements) UNLESS the student is in the United States primarily for purposes of participating in athletics. An amendment to Iowa Code section 256.46 states that a foreign exchange student who attends school "for primarily athletic purposes" is also subject to the 90 school days of ineligibility to participate at the varsity level.

Because of this new legislation, it is now mandatory that a high school principal file a notification form with the IHSAA or IGHSAU for each foreign exchange student who desires to participate in interscholastic athletics. The forms are available from IGHSAU at <http://www.ighsau.org/> (click on the pdf form on the right-hand side of the home page) and from IHSAA at <http://www.iahhsaa.org/forms.htm> (click on Foreign Exchange Application). They may also be obtained by calling either organization; Lisa Brinkmeyer has responsibilities for foreign exchange students for the IGHSAU, contact 515/288-9741 or lisa@ighsau.org; and Alan Beste fulfills those responsibilities for the IHSAA, contact 515/432-2011 or abeste@iahhsaa.org.

Bidding Procedures

Both the State Ombudsman and the State Auditor have received some substantiated complaints against school districts for not complying with competitive bidding requirements. Specific areas mentioned are the following:

1. **Notice of hearing** (Iowa Code section 73A.2). The school district must fix a time and place for hearing, and give notice by publication in at least one newspaper of general circulation in the district at least ten days before the hearing before entering into any contract for public improvement costing \$100,000 or more. [This was increased, effective July 1, 2006, from the former threshold of \$25,000.]
2. **Failure to set and receive security deposit** (section 73A.18). When receiving bids for a public improvement costing \$100,000 or more, the district must require that all bids be accompanied by a deposit of money (certified check or share draft) in an amount equal to at least five percent, but not

more than ten percent of the estimated total cost of the work. The amount of the deposit must be named in the advertisement for bids.

NOTE: If local board policy sets a lower threshold for bids than does state law, the district must comply with both the above public notice and security deposit requirements.

The new law on this issue is **HF 2713**, on the web at <http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=billbook&hbill=HF2713>, which created new Chapter 38 of the Iowa Code. It establishes three tiers of procedures for governmental entities, including school districts, for public improvements, non-emergency repair or maintenance work not done by school district employees, and structure demolition. In very broad terms, new Chapter 38 does the following:

ALL Districts	Projects with an estimated cost of over \$100,000	Follow all competitive bidding procedures
Districts with district-wide population of less than 50,000	Projects with estimated cost of \$36,000 and under	No state requirements...check local board policies
Districts with district-wide population of 50,000 or more	Projects with estimated cost of \$51,000 and under	No state requirements...check local board policies
Districts with district-wide population of less than 50,000	Projects with estimated cost of more than \$36,000 but not in excess of \$100,000	Follow semi-formal quotation process outlined in new Iowa Code chapter 38: <ol style="list-style-type: none"> 1. Make good faith effort to obtain quotes from at least 2 contractors regularly engaged in relevant work. 2. Plans and specs must still be prepared by an architect or engineer 3. Provide contractors with opportunity to inspect work site 4. Contractor must provide price for labor, materials, equipment, supplies 5. Designate time, place, manner for filing quotes 6. Record approved quotes in meeting minutes 7. Award contract to lowest responsive, responsible bidder or reject all quotes
Districts with district-wide population of 50,000 or more	Projects with estimated cost of more than \$51,000 but not in excess of \$100,000	Follow quotation process set out in part immediately above

The table above is meant to provide a broad overview only and is not to be relied upon as legal advice. As always, when in doubt, contact your school attorney for guidance.

The Iowa League of Cities is sponsoring a series of workshops August 22-24 on the Iowa Construction Bidding Procedures Act, HF 2713. The registration fee is \$35 to attend. Information and registration form may be found on the web at www.iowaleague.com/Workshops/OtherWorkshops.aspx.

Good Conduct Policies and Standard of Proof

Many schools use this time of year to review student handbooks and student behavior policies, including good conduct policies. It is not necessary to include a standard of proof in either the handbook or the policy language itself. In the absence of an enunciated standard of proof, the courts (and the State Board of Education

in appeals to it) will default to the standard that there must be “some proof” that the student committed the alleged misconduct. This is lower standard than “substantial evidence” or a “preponderance of the evidence” and certainly much lower than “beyond a reasonable doubt.”

If a standard of proof other than “some evidence” is enunciated by the school, the school cannot use the lower standard of “some evidence.” In other words, a school that chooses to use a “substantial evidence” or “preponderance of the evidence” standard has created an additional right for the student that does not exist otherwise. There is nothing inherently wrong in providing this right to a student, but schools should simply be aware that it is not required.

Physicals, TB Tests

Effective 9/20/06, school bus drivers no longer are required to have a TB test as part of their physical examinations. School bus drivers still must have a physical every other year, and those who are insulin-dependent are subject to a physical exam every year.

Effective back on 1/11/06, no one else needed to have a TB test anymore. This includes food service staff. Also, effective 1/11/06, no one except bus drivers may be required to have a physical after the pre-service physical examination except in individual cases where good cause exists to question an employee’s fitness to perform assigned duties.

Schools and school districts may still require a TB test when there is reason to believe it is necessary. (In such cases, the school should be in touch with and take guidance from the local public health officials.)

Level I Investigator Training

Administrators should notify Chapter 102 Level I investigators that this year’s training will take place Monday, October 2, from 8:00 – noon. As in the past, the training will originate at Heartland AEA’s main office in Johnston, and will be narrowcast live over the ICN. A Level I investigator should contact his/her own AEA to find out the closest ICN site.

Special Education District Court Ruling in Southern District of Iowa

The United States District Court for the Southern District of Iowa affirmed an Administrative Law Judge (ALJ) decision that the placement decision made by the local school district and the area education agency did not violate the plaintiffs’ IDEA rights.

The plaintiffs had argued that the IEP team working with a kindergarten-aged child was not appropriately constituted, did not consider the child’s needs adequately, and made an overly restrictive placement decision that differed from the parents’ request.

At issue was the appropriate placement of the child; the parents requested an out-of-state program for children with hearing impairments, and contended their child was denied a free and appropriate public education (FAPE) in the least restrictive environment (LRE) because the resident school district and the AEA offered an education that was inappropriate and far more restrictive than necessary.

The child involved was diagnosed with auditory neuropathy shortly after birth and had received services from age one from the area education agency and the Iowa School for the Deaf. The child’s parents enrolled him in an out-of-state preschool and stated he should remain at that school for kindergarten. Ultimately, the school district and area education agency recommended placement in an ISD program with integration into the local school district’s kindergarten program “for a portion of the day as determined by the team.” The parents disagreed, enrolled their son in the out-of-state classroom, and sought reimbursement of tuition expenses.

The ALJ ruled that a failure to provide the parents notice of an IEP meeting did not constitute a denial of FAPE as the parent and teachers helped develop and made substantive contributions to the IEP. Further, the ALJ ruled that the special education services and program offered to the child did constitute FAPE. The ruling was affirmed by the district court.

Requests for the full opinion or questions about special education appeal procedure may be directed to Dee Ann Wilson at deeann.wilson@iowa.gov or 515/281-5766; questions about special education substantive law may be directed to Thomas Mayes at thomas.mayes@iowa.gov or 515/242-5614.

Electronic APR Available Online

The electronic Annual Progress Report (APR) is now available for both school districts and accredited non-public schools. A significant number of requirements have been added to the APR in an effort to satisfy state (Chapter 12) and federal (No Child Left Behind) reporting requirements; however, most of the data for the electronic APR will be pre-populated from Project EASIER and BEDs. Schools and school districts are required to supply a limited amount of information for the APR, including information related to long-range goals, annual improvement goals, progress with early intervention goals, and multiple assessments. To date, many school districts and non-public schools have accessed the electronic APR site and are working to complete the sections of the report for which they are responsible.

Later this summer, charts and graphs will be created by the DE using the Iowa Testing Program data, after the data have been verified by school districts for AYP purposes (public school districts). School leaders will be able to view the charts and graphs between September 1 and September 15, 2006.

Accredited non-public schools will be able to provide a narrative summarizing the student achievement data requirements for grades 4, 8, and 11 (where applicable) later this summer.

The deadline for APR certification is September 15, 2006. The completed electronic APR reports will be available for public view via the DE website. For assistance with the electronic APR, contact Debbie Boring at 515/281-3198 or debbie.boring@iowa.gov.

School Food Safety Program Requirement

The Child Nutrition and WIC Reauthorization Act of 2004 required implementation of a School Food Safety Program in the 2005-06 school year. Implementation of the programs should be in place or close to completion by the beginning of the 2006-07 school year.

Details about this new requirement are posted on the Department of Education website. If district staff need additional training to assist schools with implementation of the new requirement, the DE is also offering (via Iowa Public Television's K-12 Connections programming) repeats of previously presented ICN sessions on the School Food Safety requirement: Process Approach to HACCP Principles. Part 1 will be aired September 19 and October 4, and Part 2 will be aired September 26 and October 11.

To register, follow the links below:

School Food Safety Program: Process Approach to HACCP Principles: Part 1

http://www3.iptv.org/iowa_database/event-detail.cfm?ID=6863

School Food Safety Program: Process Approach to HACCP Principles: Part 2

http://www3.iptv.org/iowa_database/event-detail.cfm?ID=6865

Additionally, a panel of school Food Service directors and managers will discuss local implementation of the required School Food Safety Program through K-12 Connections programming sometime in October or November. Please check the Bureau of Nutrition Program's website for further information as it is available.

District School Wellness Policy should be adopted

The 2004 Reauthorization of the USDA Child Nutrition Programs included a requirement that all local education agencies participating in the School Meal Programs establish a School Wellness Policy by the beginning of the 2006-2007 school year.

As indicated in previous School Leader Updates and a variety of trainings offered this past school year, the Iowa Association of School Boards has posted on its website a sample wellness policy and resources for Iowa school districts. These training opportunities were taped and are being made available via Iowa Public Television's K-12 Connections for any districts needing additional guidance to assist with completion of this requirement.

To register, follow the links below:

School Wellness Policy I: Introduction Tuesday, August 15 and Wednesday, September 13
http://www3.iptv.org/iowa_database/event-detail.cfm?ID=6820

School Wellness Policy II: Process Wednesday, August 16 and Wednesday, September 20
http://www3.iptv.org/iowa_database/event-detail.cfm?ID=6822

School Wellness Policy III: Goals That Work Thursday, August 17 and Wednesday, September 27
http://www3.iptv.org/iowa_database/event-detail.cfm?ID=6825

For Districts already in compliance with the new requirement, check the September School Leaders Update for information on School Wellness IV to be offered this fall, live via the Iowa Communication Network.

SCHOOL FUNDING AND GRANTS

Update on Federal Funding

In July, the US Senate Appropriations Subcommittee on Labor-HHS-Education approved its \$605.6 billion spending bill for federal fiscal year 2007. The bill provides \$142.8 billion for discretionary spending, which is a \$1.27 billion increase from the FY2006 level and \$4.9 billion higher than the Administration's budget request. The House Appropriations Subcommittee already passed a version of this bill, so it will be left to conference committee to resolve differences in levels of funding. It is important to note that it is likely that no further progress will be made on this appropriation until after the election. These figures are subject to change, but do reflect a significant benchmark passed in the process.

Program	FY06	House	Senate
Title I, Part A	\$12.713 billion	\$12.7 billion	\$12.7 billion
IDEA State Grants	\$10.582 billion	\$10.7 billion	\$10.6 billion
Title V	\$99 million	\$150 million	\$0
E2T2	\$275 million	\$0	\$272 million
Perkins	\$1.3 billion	\$1.3 billion	\$1.3 billion
Teacher Quality Grants	\$2.8 billion	\$2.5 billion	\$2.75 billion
School Imp. (new)	\$0	\$200 million	\$100 million
SDFS	\$346.5 million	\$0	\$310 million

Work still needs to be done to reconcile some differences between House and Senate proposals. Of great concern is the apparent resistance to increase the overall appropriation to accommodate funding for both E2T2 and Title V. The Department believes both programs are essential.

Another item of great concern is the effort underway to remove the ability of K-12 districts to apply for Medicaid reimbursement for qualified students. Senator Kennedy has introduced a Children's Health in Schools Act to ensure that qualified schools services can receive Medicaid reimbursement, but this effort faces an uphill battle. Please contact your federal delegate directly with concerns on any of these issues. Contact information for the federal delegation can be found at <http://thomas.loc.gov/>.

Contact Jeff Berger at 515/281-3399 or jeff.berger@iowa.gov for additional information.

Iowa Learning Technology Commission

The Iowa Learning Technology Commission was appropriated an additional \$500,000 for innovative technology grants to school districts by the 2006 Iowa Legislature. The application process for the next round of grants is now available. This new application process will occur in two parts: Part I will ask interested school districts to submit a concept paper that explains the focus of the project, how the project is innovative, and how student learning will be impacted by the effort. This concept paper is due September 15, 2006, and will be submitted electronically by the superintendent through the DE edinfo website. Using established criteria, the ILTC will invite a number of district proposals to move to Part II of the application process, at which point those invited districts will be given the option to submit a full grant application by November 10, 2006. Final determination of ILTC grant award winners is scheduled on or around December 15, 2006.

Interested school districts can access information about Part I of the application process through the ILTC website at <http://homepage.mac.com/albodespanish/iltc/iltc.html> or the DE website at

<http://www.state.ia.us/educate/grants.html>. Contact Jeff Berger at 515/281-3399 or jeff.berger@iowa.gov for additional information.

Obesity Prevention RFP on IDPH website

The Iowa Department of Public Health has posted a Request for Proposal on the IDPH Web site for school or community based obesity prevention efforts. Please visit the Web site at http://www.idph.state.ia.us/do/notice_of_funds.asp to review the lowans Fit for Life Obesity Prevention grant.

Modified Allowable Growth (Dropout Prevention)

Public school districts with approved Comprehensive School Improvement Plans (CSIP) on file with the Department are eligible for modified allowable growth funds for dropout and dropout prevention services (Iowa Code 257.38). To access the available funds, the district must complete the modified allowable growth application available at the Department's secure website, www.edinfo.state.ia.us. The due date for modified allowable growth applications has been changed. Applications must now be filed with the Department no later than December 15, 2006, for the 2007-08 school year. Another change in the application procedure is accounting for the use of funds via a checklist provided at the front of the application. Definitions for the items in the checklist are provided in the Help screen accompanying the application. These changes are a result of legislation passed during the last legislative session. Contact: Ray Morley, 515/281-3966 or ray.morley@iowa.gov.

Title II, Part A - Federal Teacher Quality Program

The federal Title II, Part A program provides allocations to each public school district to support teacher and principal professional development and recruitment as well as employing highly qualified teachers for reducing class size. The allocations for the 2006-07 school year and the budget application form and directions will be posted to the Department's website at www.state.ia.us/educate before the end of August. The deadline for filing the budget application with the Department is October 27, 2006. As in the past, allocations will be distributed to school districts after all district budget applications have been received and approved. Contact: Jim Reese, 515/281-4158 or jim.reese@iowa.gov.

Title V, Part A - Innovative Programs

The federal Title V, Part A program provides allocations to each public school district to support innovative educational programs and activities in a broad array of areas. The allocations for the 2006-07 school year and the budget application form and directions as well as year-end reporting requirements will be posted to the Department's website at www.state.ia.us/educate before the end of August. The deadline for filing the budget application with the Department is October 27, 2006. As last year, allocations will be distributed to school districts after all district budget applications have been received and approved. The allocation to the state for this fiscal year is approximately 50% less than the allocation received last fiscal year. Contact: Ray Morley, 515/281-3966 or ray.morley@iowa.gov.

CALENDAR

August 16 Iowa [Grant Symposium](#) (how to find and complete proposals), Des Moines
Sept. 29 Deadline to submit applications for US Senate Youth Program

SCHOOL LEADER UPDATE is produced monthly by the Iowa Department of Education for school leaders of Iowa. Comments and submissions should be sent to Kathi Slaughter, 515/281-5651, kathi.slaughter@iowa.gov.